

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND  
AT GREENBELT**

In Re: Susan Pishva aka Susan Pishvaey and Case No. 15-11441-PM  
Mohammad R. Pisha aka Reza Pishva aka Chapter 13  
Mohammad Reza Pishva Lakani aka  
Mohammad Reza Pishua Lakani aka  
Mohammad Reza Pishvey Lakani aka  
Mohammed Reza Pishva Lakani

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Pacific Union Financial, LLC, Movant  
vs.

Susan Pishva, Debtor  
aka Susan Pishvaey  
Mohammad R. Pisha, Debtor  
aka Reza Pishva aka Mohammad Reza  
Pishva Lakani aka Mohammad Reza  
Pishua Lakani aka Mohammad Reza  
Pishvey Lakani aka Mohammed Reza  
Pishva Lakani

Respondent(s)

**MOTION FOR RELIEF FROM AUTOMATIC STAY  
Real Property at 10505 Tyler Terrace, Potomac, Maryland 20854**

Comes now, Pacific Union Financial, LLC, Movant herein, by Kyle J. Moulding, Esq., its attorney and respectfully represents:

1. This Motion is filed pursuant to 11 U.S.C. Sec. 362 d thru f, and 28 U.S.C. Sec. 1334 and Sec. 157, giving this Court jurisdiction to grant relief from the Automatic Stay for cause and/or to prevent irreparable damage to the interest of a secured creditor in the property of the Debtors.

2. Movant is the holder of a Note secured by a Deed of Trust dated January 26, 2012, and recorded among the land records of Montgomery County, Maryland, at Liber 43334 and folio 397 and which encumbers the property of the Debtors at 10505 Tyler Terrace, Potomac, Maryland 20854.

3. The current amount due to the Movant is approximately \$497,887.50, which includes: a principal balance in the amount of \$479,071.90; interest in the amount of \$11,178.37 through December 1, 2015; bankruptcy fees and costs in the amount of \$826.00; an escrow

deficit in the amount of \$6,796.23; and Other (Total Fees) in the amount of \$15.00.

4. The Debtors have failed to pay the payments for the months of June 2015 to December 2015, so that the post-petition arrears are approximately \$25,618.95, which include: payments in the amounts of \$3,541.85 for the months of June 2015 through December 2015, current bankruptcy fees and costs in the amount of \$826.00 . The current monthly payment is \$3,541.85.

5. The Movant (or its predecessor in interest) filed a Proof of Claim for pre-petition arrears (Claim # 7-1), which is incorporated as if fully set forth herein. Said pre-petition arrears are still due and owing, less any moneys tendered by the Chapter 13 Trustee.

6. The Movant is inadequately protected by the Debtor's failure to make the pre-petition and post-petition payments which may include an escrow for taxes and insurance.

7. In his/her Schedules, the Debtors list a current market value of \$750,000.00 for the real property.

8. Therefore, cause exists to grant relief from stay. Movant lacks adequate protection and continues to be irreparably harmed by the continuation of the Stay of 11 U.S.C. Sections 362(a) and 1301, if applicable.

**NOTICE OF INTENT TO SUBMIT BUSINESS RECORDS**

Creditor will submit business records as evidence at any scheduled hearing, as allowed under Fed. R. Bankr. P. 9017 and FRE 902(11). These business records are available for inspection by the adverse party upon demand.

WHEREFORE, the Movant prays this Honorable Court to issue an Order

1. Lifting the Automatic Stay as to the Debtor's property at 10505 Tyler Terrace, Potomac, Maryland 20854, so that the Movant can proceed with the foreclosure of its Deed of Trust; or alternatively

2. For such other and further relief as the Court deems appropriate.

/s/ Kyle J. Moulding, Esq. (kmg)  
Kyle J. Moulding, Esq.  
Attorney for Movant  
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Laurel, MD 20707  
301-490-1196  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was mailed, first class, postage prepaid, on  
15-612028

January 19, 2016, to Susan Pishva at 10505 Tyler Terrace, Potomac, Maryland 20854 and Mohammad R. Pisha at 10505 Tyler Terrace, Potomac, Maryland 20854. Copies were sent electronically via the CM/ECF system to Adam Brown Ross, Esq., Attorney for Debtors at [rbrbankruptcy@gmail.com](mailto:rbrbankruptcy@gmail.com), Timothy P. Branigan, Chapter 13 Trustee at [cmecf@chapter13maryland.com](mailto:cmecf@chapter13maryland.com)

/s/Kyle J. Moulding, Esq.